

REMARKS/ARGUMENTS

In view of the previously presented amendment of claim 1, which incorporated the subject matter of claim 2 into the claim, claim 4 has been amended to incorporate therein the subject matter of claim 5. This amendment merely clarifies the claimed subject matter previously before the Examiner and requires no new search.

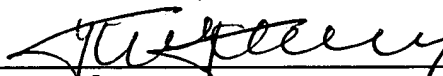
The rejection of the claims under 35 U.S.C. 102(b) as being anticipated by Plasser (EP 429713 B1) is respectfully traversed.

The Examiner has correctly summarized the teaching of Plasser. However, in his Response to Arguments the Examiner has completely ignored the portions of the argument emphasized by applicants, i.e. the significant structural and functional difference between disposed the sensor at the **front** end of the loading container (the prior art) and the **rear** end (as disclosed and claimed herein). In order to avoid redundancy, applicants respectfully direct the Examiner's attention to the long paragraph bridging pages 5 and 6 of the previously filed amendment, and these comments are incorporated herein by reference.

Furthermore, the Examiner has apparently not considered applicants' prior argument that claims 4-6 are patentable on their own merits. Nothing like the subject matter of claim 4, i.e. device 22, is suggested by Plasser. Therefore, claims 4 and 6 appear to be patentable on their own merits.

A sincere effort having been made to overcome all grounds of rejection, favorable reconsideration and allowance of claims 1, 3, 4 and 6-8 are respectfully solicited.

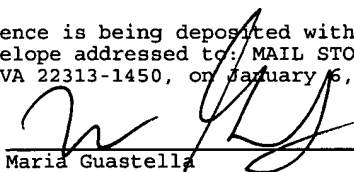
Respectfully submitted,
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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: MAIL STOP AF, COMMISSIONER FOR PATENTS, P.O. Box 1450, Alexandria, VA 22313-1450, on January 6, 2005



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